

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3  
Eastern Division**

JP Morgan Chase Bank, National Association

Plaintiff,

v.

Case No.:  
1:19-cv-05770  
Honorable Thomas M.  
Durkin

Federal Deposit Insurance Corporation, As Receiver  
for Washington Federal Bank for Savings, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Tuesday, June 1, 2021:

MINUTE entry before the Honorable Heather K. McShain: The Court has reviewed the parties' joint status report [134] and adopts the parties' proposed discovery schedule as follows: all fact discovery, including written discovery and depositions, to be completed by 09/30/2021. This schedule applies to all parties in this case, including third-party defendant First Midwest Bank. Although First Midwest argues that it should not be required to participate in discovery before the District Judge rules on its forthcoming motion to dismiss the amended complaint filed by third-party plaintiff Martha Padilla, "[t]he mere filing of a motion to dismiss does not automatically stay discovery." New England Carpenters Health & Welfare Fund v. Abbott Labs., No. 12 C 1662, 2013 WL 690613, at \*1 (N.D. Ill. Feb. 20, 2013). Further joint status report due 07/16/2021 to update the Court on: (a) the progress of discovery; (b) the status of settlement discussions, if any; and (c) any other issues the parties wish to raise with the Court. The parties should be mindful that, notwithstanding any preference to take depositions in person, they cannot expect this in the current environment, nor can they reasonably expect the case to be put on hold until that changes. To be more specific, the parties are to assume that all depositions will have to be taken by remote means (unless both sides and the witness consent to an in-person deposition) and are to plan accordingly. Delay due to a desire to take in-person depositions at a later date will not be a basis for extending any discovery deadline beyond the current deadline. The parties may contact chambers at any time (via email to Chambers\_McShain@ilnd.uscourts.gov) if they would like the Court's assistance with settlement. Mailed notice. (pk, )

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